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PCT

10 Rec'd PCT/PTO 22 APR 1998

FORM PTO-1390  
(REV 10-96)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE ATTORNEY DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

P66 40774

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/065082

INTERNATIONAL APPLICATION NO.  
PCT/Au 96/00664

INTERNATIONAL FILING DATE  
22 October 1996

PRIORITY DATE CLAIMED  
22 October 1996  
23 October 1995, 1.4.96

TITLE OF INVENTION Hyaluronic Acid as DNA Carrier for Gene Therapy and VEGF  
Antisense DNA to Treat Abnormal Retinal Vascularization

APPLICANT(S) FOR DO/EO/US

<sup>2-00</sup>  
Rakoczy, Pirooska, Elizabeth and Constable, Ian Jeffrey

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☒ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

1449 - PTO FORM

JCS68 U.S. PTO

04/23/98

09065082-071698

14.17

U.S. APPLICATION NO. (if known, see 37 CFR 1.53)

INTERNATIONAL APPLICATION NO.  
PCT/AU96/00664ATTORNEY'S DOCKET NUMBER  
P66 4077417. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EPO or JPO ..... \$910.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
..... \$700.00No international preliminary examination fee paid to USPTO (37 CFR 1.482)  
but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$770.00Neither international preliminary examination fee (37 CFR 1.482) nor  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1040.00International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$ 1040

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	51 - 20 =	31	X \$22.00
Independent claims	5 - 3 =	2	X \$80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00

\$ 682

\$ 160

\$

TOTAL OF ABOVE CALCULATIONS =

\$ 842

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL =

\$ 1882.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$ 1882.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED =

\$ 1882.00

Amount to be:  
refunded

\$

charged

\$

a. ☒ A check in the amount of \$ 1882.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 16-2460. A duplicate copy of this sheet is enclosed.NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Viviana Amzel, Ph.D.Pretty, Schroeder & Poplawski444 South Flower St., 19th FloorLos Angeles, CA 90071(213) 622-7700 - Tel(213) 489-4210 - Fax

SIGNATURE:

Viviana Amzel, Ph.D.

NAME

30,930

REGISTRATION NUMBER

## CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Rakoczy, et al.

Docket No.

09/065082  
Pg 40774Serial No.  
To Be AssignedFiling Date  
Herewith

Examin r

Group Art Unit

Invention:

Hyaluronic Acid as DNA Carrier for Gene Therapy and VEGF Antisense DNA to Treat Abnormal Retinal Vascularization

I hereby certify that this US Patent Application

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on April 23, 1998

(Date)

Joanne H. Housen

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

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